Exhibit 11

Filed 04/28/2008 : 1303 P. 02/06

at _o'clock and __mid__M \(\)
IN THE UNITED STATES DISTRICT COUR WALTER A Y. H. CHINN/CLERK

FOR THE DISTRICT OF HAWAII

WAYNE BERRY,) CIVIL NO. 01 00446 SPK LEK
Plaintiff,)
vs.)
FLEMING COMPANIES, INC., aka FLEMING FOODS, INC., aka FLEMING, DOE INDIVIDUALS 1-50 AND DOE PARTNERSHIPS, CORPORATIONS AND OTHER ENTITIES 1-20,) SPECIAL VERDICT FORM))))))
Defendants.)))

SPECIAL VERDICT FORM

A. FREIGHT CONTROL SYSTEM SOFTWARE

1. Has Plaintiff Wayne Berry proven by a preponderance of the evidence that he is the owner of the copyright to the Freight Control software attached to Exhibit 221?

Yes_	X	No	
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If "YES" go to next question. If "NO", skip to section B.

2.	Did Fleming Companies, Inc. prove by a preponderance of the evidence that it has a valid license for the use of the Freight Control	
	software.	
	Yes Yes	No
	If "YES" go to next question. If "NO" go to question 4.	
3.	Fleming made unauthorized ch	reponderance of the evidence that anges to the Freight Control software.
	Yes	No
	If "NO" skip to section B. If "YES" go to next question.	· .
4.	Was the infringement of the Frwillful?	eight Control software copyright
	Yes	No
	Go to the next question.	
5.	What amount of damages is W infringement of Freight Control	
	# 99,250.00	

CRYSTAL REPORTS SOFTWARE B.

1.		ven by a preponderance of the evidence bright to the Crystal Reports software
	Yes	No
	If "NO", skip to section C. If "YES" go to next question.	
2.	evidence that it has a valid lice software.	orove by a preponderance of the nse for the use of the Crystal Reports
	Yes	No
	If "YES" go to next question. If "NO" go to question 4.	
3.		reponderance of the evidence that anges to the Crystal Reports software.
	Yes	No
	If "NO" skip to section C. If "YES" go to next question.	
4.	Was the infringement of the Cr willful?	ystal Reports software copyright
	Yes	No
	Go to the next question.	

C.

	What amount of damages is Winfringement of Crystal Report	
FLE	MINGPO.EXE SOFTWARE	
1.	Has Plaintiff Wayne Berry prothat he is the owner of the copy attached to Exhibit 223?	ven by a preponderance of the evidence right to the FlemingPO.exe software
	Yes	No
	If "YES" go to next question. If "NO", skip to the end.	
2.	Did Fleming Companies, Inc. pevidence that it has a valid lice software.	prove by a preponderance of the nse for the use of the FlemingPO.exe
	Yes	No
	If "YES" go to next question. If "NO" go to question 4.	
3.	Did Wayne Berry prove by a p Fleming made unauthorized ch	reponderance of the evidence that anges to the FlemingPO.exe software.
	Yes	No X
	If "NO" skip to the end. If "YES" go to next question.	

4.	Was the infringement of the FlemingPO.exe software copyright willful?
	Yes No
	Go to the next question.
5.	What amount of damages is Wayne Berry entitled to for the infringement of FlemingPO.exe software?
Please sign	and date this Special Verdict Form.
Jury Forepo	I Milia Carol Ho akimoto
-35	ce ata
May	2 Ohno Matthuwa
	Date
	, 3/6/03